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Dated: September 15, 2004 Signature: Norman Green
(Norman Green)

Docket No.: 219002029100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gregory LUEDTKE et al.

Application No.: 09/989,991

Art Unit: 1625

Filed: November 20, 2001

Examiner: C. C. Chang

For: INDOLE-TYPE INHIBITORS OF P38 KINASE

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to a final Office Action responsive to a Request for Continued Examination (RCE) of Serial No. 09/989,991, which was mailed 8 July 2004, time for response to which was set to expire 8 October 2004. Of the considered claims, claims 1, 57, 58, and 60 appear to be rejected for indefiniteness; claims 63 and 68 were also rejected; and claims 3-7, 9, 12, 39-43, 45-46, 48-50, 52-56, 59, and 61 were objected to but were recognized as containing allowable subject matter once all § 112 issues are resolved or if rewritten in independent form. Claims 64-67 were withdrawn from consideration but are still pending.

Applicants appreciate the Examiner's recognition that the subject matter of claims 3-7, 9, 12, 39-43, 45-46, 48-50, 52-56, 59, and 61 would be allowable upon resolution of the § 112 objections. Careful consideration has been given to the Examiner's grounds for rejection, and the

following amendment and discussion are offered in response. Reconsideration is respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 10 of this paper.



AF/1625
JFW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/989,991	
	Filing Date	November 20, 2001	
	First Named Inventor	Gregory LUEDTKE et al.	
	Art Unit	1625	
	Examiner Name	C. C. Chang	
Total Number of Pages in This Submission	15	Attorney Docket Number	219002029100

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (14 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Michael G. Smith - 44,422
Signature	
Date	September 15, 2004

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